



UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 8



Kenyon College Employer and United Electrical, Radio and Machine Workers of America (UE) Petitioner	Case 08-RC-284759
--	--------------------------

**ORDER POSTPONING HEARING INDEFINITELY AND DUE DATES FOR
STATEMENT OF POSITION AND RESPONSIVE STATEMENT OF POSITION**

On October 18, 2021, the United Electrical, Radio and Machine Workers of America (Union) filed a petition seeking to represent all hourly paid student employees of Kenyon College (Employer).

On October 21, 2021, the Employer filed two Motions in this matter. In its first Motion, the Employer argues that the Region should dismiss the petition, or alternatively stay the petition, because it raises significant jurisdictional and federal privacy issues. In its second motion, the Employer argues that the hearing, along with the due date for filing its Statement of Position and its Initial Lists, should be indefinitely postponed. In its Motions, the Employer argues, among other things, that it risks violating the Family Educational Rights and Privacy Act (FERPA) if it attempts to comply with the Board's Rules and Regulations.

IT IS ORDERED that the hearing set for November 9, 2021 is postponed indefinitely while I consider the parties' positions in this matter. **IT IS FURTHER ORDERED** that the due dates for the Statement of Position and Responsive Statement of Position are postponed indefinitely.¹

Dated: at Cleveland, Ohio, this 29th day of October, 2021.



IVA Y. CHOE
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 08
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

¹ The Employer also requested an indefinite extension of time to post the Notice of Petition for Election (Notice). Given that the Notice simply informs employees that a petition has been filed and provides employees with information about their basic rights under the National Labor Relations Act, I find no reason to extend the time to post the Notice in this matter. My decision on this issue was communicated orally to the parties on October 27, 2021.